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Attorney Docket No.1148D

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Applicant: Marc Albertsen et al. | 1 | Art Unit: 1638 |
| Serial No.: 10/021,657 | 1 | |
| Filed: December 14, 2001 | 1 | Examiner: A. Kubelik |
| For: Nucleotide Sequences Mediating Fertility and Method of Using Same | 1 | Confirmation No. 5787 |

DEPOSIT STATEMENTCommissioner for Patents
Washington, D.C. 20231

Sir:

The undersigned attorney, an attorney of record in this application, makes the following statement regarding deposits:

A deposit of 2500 seeds is and has been maintained by Pioneer Hi-Bred International, Inc. since prior to the filing date of this application. Access to the deposit will be available during the tendency of this application to the Commissioner of Patents and Trademarks and persons determined by the Commissioner to be entitled thereto upon request. Upon allowance of any claims in the application, all restrictions on availability to the public of such material will be removed by affording access to a deposit of the microorganism with the American Type Culture Collection (ATCC) Rockville, MD. Additionally, applicant will meet all the requirements of 37 CFR§1.807, including providing an indication of the viability of the sample when deposit is made. The microorganism deposited with the ATCC will be taken from the same deposit maintained by Pioneer Hi-Bred International since prior to the filing date of this application. The

CERTIFICATE OF MAILING (37 C.F.R. § 1.8(a))

I hereby certify that this document is being deposited with the United States Postal Service on the date shown below with as Express Mail Post-Office-to-Addressee, Express Mail Number ED029356717US, Mail Stop Amendment. Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date

08/05/2005

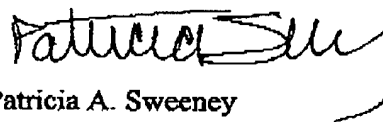
Patricia A. Sweeney

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deposit will be maintained in the ATCC depository, which is a public depository, for a period of 30 years or five years after the most recent request, or for the effective life of the patent, whichever is longer, and will be replaced if it becomes nonviable during that period.}

All restrictions on availability of the aforementioned deposits will be removed irrevocably upon the granting of a patent on the captioned application or a continuing application based thereon.

Respectfully submitted,



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